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8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**
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11 GARY LYNN YEATS,

12 Petitioner,

13 vs.

14 BRIAN WILLIAMS, *et al.*,

15 Respondents.
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) 2:09-cv-00798- KJD-RJJ
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ORDER

17 This is a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 in which petitioner,
18 a state prisoner, is proceeding *pro se*. Petitioner has filed a motion for leave to proceed *in forma*
19 *pauperis* on appeal. (ECF No. 42.)

20 Petitioner's motion for leave to proceed *in forma pauperis* is not in conformity with Fed. R.
21 App. Pro. 24 which, among other things, requires submission of detailed information related to
22 petitioner's financial means. *See* Fed. R. App. Pro. 24; and Form 4 in the Appendix of Forms.
23 Therefore, the motion shall be denied without prejudice on that basis.

24 **IT IS THEREFORE ORDERED** that petitioner's motion for leave to proceed *in forma*
25 *pauperis* on appeal (ECF No. 42) is **DENIED without prejudice**. The Clerk shall send Form 4
26 (Affidavit Accompanying Motion for Permission to Appeal *In Forma Pauperis*) to petitioner.

1 Petitioner shall have **thirty (30) days** from the date of entry of this order within which to file a new
2 motion for leave to proceed *in forma pauperis* on appeal.

3 DATED: May 25, 2011

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6 UNITED STATES DISTRICT JUDGE
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